IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 20TH NOVEMBER 2007 / 29TH KARTHIKA 1929

Bail Appl..No. 7064 of 2007()

CRMP.9968/2007 of J.M.F.C.-III, PUNALUR

CRIME NO.127/2007 OF PATHANAPURAM EXCISE RANGE

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: PETITIONER/2ND ACCUSED

GRACY, D/O.KUNJAMMA,
CHARUVILA PUTHEN VEEDU, VADAKKODE MURI,
THALAVOOR VILLAGE, PATHANAPURAM TALUK.

BY ADV. SMT.VIVEEJA RAVEENDRAN

RESPONDENTS: COMPLAINANT

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1. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. EXCISE INSPECTOR,
PATHANAPURAM EXCISE RANGE, KOLLAM DISTRICT.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.7064 of 2007

Dated this the 20th day of November 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. The first accused, the husband of the petitioner, was allegedly found to be in possession of 270 litres of wash in the house of the petitioner. He was arrested on 11/10/2007. The petitioner was arrested on 25/10/2007. She continues in custody from that date. The petitioner has no history of any criminal antecedents, submits the learned Public Prosecutor.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner can now be enlarged on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 26/11/2007. The investigating

officer shall, in the meantime, make every endeavour to complete the investigation.

ii) She shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make herself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months from the date of her release and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007